

United States District Court for the
Eastern District of New York

Siew V. Thong, Yue F. Xia, Qiao F. Chen

Plaintiffs,

-against-

AFFIDAVIT OF SERVICE

Civil Action # 2:08-cv-03469-TCP-WDW

Lovely Nails NY, Inc., et al.

Defendants.

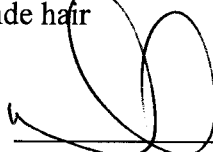
COUNTY OF ALBANY SS:
STATE OF NEW YORK

Denise L. Dooley being duly sworn, deposes and says that she is over the age of eighteen years, is not a party to this action and is acting as agent of **EMPIRE CORPORATE AND INFORMATION SERVICES, INC.**

That on the 22nd day of December, 2009, at approximately the time of 2:00 p.m., at the office of Secretary of State, of the State of New York, in the City of Albany, New York, deponent served a Second Supplemental Summons in a Civil Action of Second Amended Complaint and Second Amended Complaint (with Civil Action No. endorsed thereon) upon **LOVELY NAILS NY, INC.**, a defendant in this action, by delivering to and leaving with Donna Christie an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at the time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306, of the Business Corporation Law.

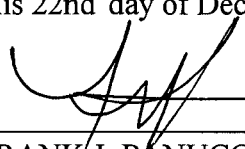
Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

Donna Christie is a white female, approximately 37 years of age, stands approximately 5 feet 3 inches tall, weights approximately 140 pounds with blonde hair



Denise L. Dooley

Sworn to before me
this 22nd day of December, 2009.



FRANK J. PANUCCI
Notary Public, State of New York
Qualified in Albany County
No. 4721156
Commission Expires July 31, 2010

State of New York - Department of State
Receipt for Service

Receipt #: 200912230205

Cash #: 200912230219

Date of Service: 12/22/2009

Fee Paid: \$40 - DRAWDOWN

Service Company: 12 EMPIRE CORPORATE & INFORMATION SERVICES,

Service was directed to be made pursuant to: SECTION 306 OF THE BUSINESS
CORPORATION LAW

Party Served: LOVELY NAILS NY, INC.

Plaintiff/Petitioner:

THONG, SIEW V

Service of Process Address:

LOVELY NAILS NY, INC.

744 OLD BETHPAGE ROAD

OLD BETHPAGE, NY 11804

Secretary of State
By DONNA CHRISTIE

AFFIDAVIT OF SERVICE

Index #: **2:08-cv-03469-TCP-**

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

Date Purchased: December 22, 2009

COUNTY

Date Filed:

Court Date:

ATTORNEY(S): JOHN HAN ESQ. : COVINGTON & BURLING LLP PH: 212-841-1000

ADDRESS: 620 EIGHTH AVENUE NEW YORK NY 10018 File No.:

SIEW V. THONG, YUE F. XIA, QIAO F. CHEN,

vs.

Plaintiff(s)/Petitioner(s)

LOVELY NAILS NY, INC. d/b/a "Lovely Nails", et al.,

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU SS.:

PAUL MARTINEZ

, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years

of age and resides in New York State. On December 22, 2009 at 1:14 PM

at 744 OLD BETHPAGE ROAD OLD BETHPAGE, NY 11804, deponent served the within

Second Supplemental Summons In A Civil Action of Second Amended Complaint ,Addendum 1, Second Amended Complaint

with Index Number 2:08-cv-03469-TCP-WDW, and Date Purchased December 22, 2009 endorsed thereon,

on: **LOVELY NAILS NY, INC. d/b/a "Lovely Nails"**, **Defendant** therein named.

#1 INDIVIDUAL

☐

By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION

☒

By delivering to and leaving with "JANE DOE" and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON

☐

By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR

☐

By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

#5 MAIL COPY

☐

On, deponent completed service under the last two sections by depositing a copy of the to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called

thereat on the day of at
on the day of at
on the day of at
on the day of at

#6 NON-SRVC

☐

After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other:

#7 DESCRIPTION

☒

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

(use with #1, 2 or 3) Sex Female Color of skin Color of hair Black Age 21 - 35 Yrs. Height 5' 0" - 5' 3" Weight 100 - 130 Lbs. Other Features: Glasses

#8 WIT. FEES

☐

the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARYSRVC

☐

Deponent asked person spoken to whether the defendant was presently in military service of the United States Government or of the State of New York and was informed that defendant was not.

#10 OTHER

☒

"JANE DOE" REFUSED TO GIVE HER NAME AND TITLE. SHE APPEARED TO BE OF THE ASIAN DESCENT. SHE HAD DIFFICULTY SPEAKING ENGLISH.

Sworn to before me on this 23 day of December, 2009





BARBARA A. SHURGIN

STEVEN M SHURGIN

STEPHANIE GALLIGAN

PAUL MARTINEZ

NOTARY PUBLIC, State of New York

NOTARY PUBLIC, State of New York

NOTARY PUBLIC, State of New York

Server's Lic # 1218648

No. 30-5004737, Qualified in Nassau County

No. 01SH6190498, Qualified in Nassau County

No. 01GA6190672, Qualified in Nassau County

Work Order # 0960530

Commission Expires November 23, 2010

Commission Expires July 28, 2012

Commission Expires July 28, 2012